

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE:	)	CHAPTER 11
	)	
SII LIQUIDATION COMPANY,	)	CASE NO. 10-60702
	)	
Debtor.	)	ADV. NO. 14-6024, 14-6025
-----	)	
SCHWAB INDUSTRIES, INC.,	)	JUDGE RUSS KENDIG
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
HUNTINGTON NATIONAL BANK,	)	
<i>et al.</i> ,	)	
	)	
Defendants.	)	
-----	)	

**HLP DEFENDANTS' MOTION FOR A TELEPHONIC STATUS  
CONFERENCE TO DISCUSS PENDING SANCTIONS PROCEEDINGS AND  
RECENT NOTICES OF APPEAL FILED BY PLAINTIFF AND ITS COUNSEL**

The HLP Defendants respectfully request that the Court schedule a telephonic status conference to occur on June 19 or 20, 2017, subject to the Court's availability.

On May 30, 2017, the Court granted the HLP Defendants' motion for sanctions (ECF 113, 114.) The Court directed the HLP Defendants to file an itemization of fees and expenses incurred by no later than June 26.

In the meantime, Plaintiff and its counsel filed three separate improper notices of appeal of the Court's sanctions order (ECF 117, 119, 120.). The first two notices purported to appeal directly to the Sixth Circuit Court of Appeals (ECF 117, 119.). The third notice of appeal, which was filed on the fifteenth day following this Court's sanction order, is a handwritten form electing to appeal to the District Court (ECF 120.). The District Court appeal was initially assigned to Judge Adams, who recused himself.

The District Court appeal is now pending before District Judge Benita Y. Pearson in Youngstown, Case No. 5:17-cv-01255-BYP. Judge Pearson is the third District Judge that will have to consider an appeal in this case.

In light of these developments, the HLP Defendants request a telephonic status conference. The HLP Defendants would be pleased to provide conference call dial-in information to the Court and to counsel for the parties. A proposed order is attached as Exhibit A, and has been submitted to the Court.

Dated: June 16, 2017

Respectfully submitted,

/s/ Michael A. VanNiel

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*Attorneys for defendants Hahn Loeser & Parks  
LLP, Lawrence E. Oscar, and Andrew Krause*

## **CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of June, 2017, a true and correct copy of the foregoing HLP Defendants' Motion for a Telephonic Status Conference to Discuss Pending Sanctions Proceedings and Recent Notices of Appeal Filed by Plaintiff and Its Counsel was served:

Via the court's Electronic Case Filing System on these entities and individuals who are listed on the court's electronic Mail Notice List:

Daniel R. Warren on behalf of defendants Hahn Loeser & Parks LLP, Lawrence E. Oscar, and Andrew Krause at [dwarren@bakerlaw.com](mailto:dwarren@bakerlaw.com)

Thomas D. Warren on behalf of defendants Hahn Loeser & Parks LLP, Lawrence E. Oscar, and Andrew Krause at [twarren@bakerlaw.com](mailto:twarren@bakerlaw.com)

Michael A. VanNiel on behalf of defendants Hahn Loeser & Parks LLP, Lawrence E. Oscar, and Andrew Krause at [mvanniel@bakerlaw.com](mailto:mvanniel@bakerlaw.com)

Andrew Nicoll on behalf of defendant Huntington National Bank at [anicoll@porterwright.com](mailto:anicoll@porterwright.com)

Matthew D. Greenwell on behalf of plaintiff Schwab Industries, Inc. at [Matt@cylongolaw.com](mailto:Matt@cylongolaw.com) and [matt@mgreenwelllaw.com](mailto:matt@mgreenwelllaw.com)

Charles V. Longo on behalf of plaintiff Schwab Industries, Inc. at [cylongo@cylongolaw.com](mailto:cylongo@cylongolaw.com)

Richard S. Lauter Esq., on behalf of John D. Pidcock, Trustee at Freeborn & Peters LLP at [rlauter@freeborn.com](mailto:rlauter@freeborn.com)

United States Trustee on behalf of United States Trustee at (Registered Address)[@usdoj.gov](mailto:usdoj.gov)

Via regular U.S. Mail on the following entities and individuals:

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/s/ Michael A. VanNiel

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Lawrence E. Oscar, and Andrew Krause*

# EXHIBIT A

**UNITED STATES BANKRUPTCY COURT  
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SII LIQUIDATION COMPANY,	)	CASE NO. 10-60702
Debtor.	)	ADV. NO. 14-6024, 14-6025
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SCHWAB INDUSTRIES, INC.,	)	
Plaintiff,	)	
v.	)	
HUNTINGTON NATIONAL BANK,	)	
<i>et al.</i> ,	)	
Defendants.	)	
-----	)	

**ORDER GRANTING HLP DEFENDANTS' MOTION FOR A TELEPHONIC  
STATUS CONFERENCE TO DISCUSS PENDING SANCTIONS  
PROCEEDINGS AND RECENT NOTICES OF APPEAL FILED BY PLAINTIFF  
AND ITS COUNSEL**

This matter came before the Court upon the motion of defendants Hahn Loeser & Parks LLP, Lawrence E. Oscar, and Andrew Krause (HLP defendants) for a telephonic status conference to discuss pending sanctions proceedings and recent notices of appeal

filed by Plaintiff and its counsel. The Court having considered the motion, it is hereby ORDERED:

1. The motion is GRANTED.
2. A telephonic status conference will be conducted by the Court in this matter on June \_\_\_\_\_, 2017 at \_\_\_\_\_ a.m./p.m. Counsel for the HLP defendants shall provide a conference call number and dial-in information to the Court and to counsel for all parties of record.

**IT IS SO ORDERED.**

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Prepared and submitted by:

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